

**REMARKS**

Claims 1-11 are pending in the application. Favorable reconsideration of the application is respectfully requested.

***I. ALLOWABLE SUBJECT MATTER***

Applicants acknowledge with appreciation the noted allowability of claims 1-11 subject to addressing any issues of indefiniteness.

***II. REJECTION OF CLAIMS 1-11 UNDER 35 USC §112, 2<sup>nd</sup> ¶***

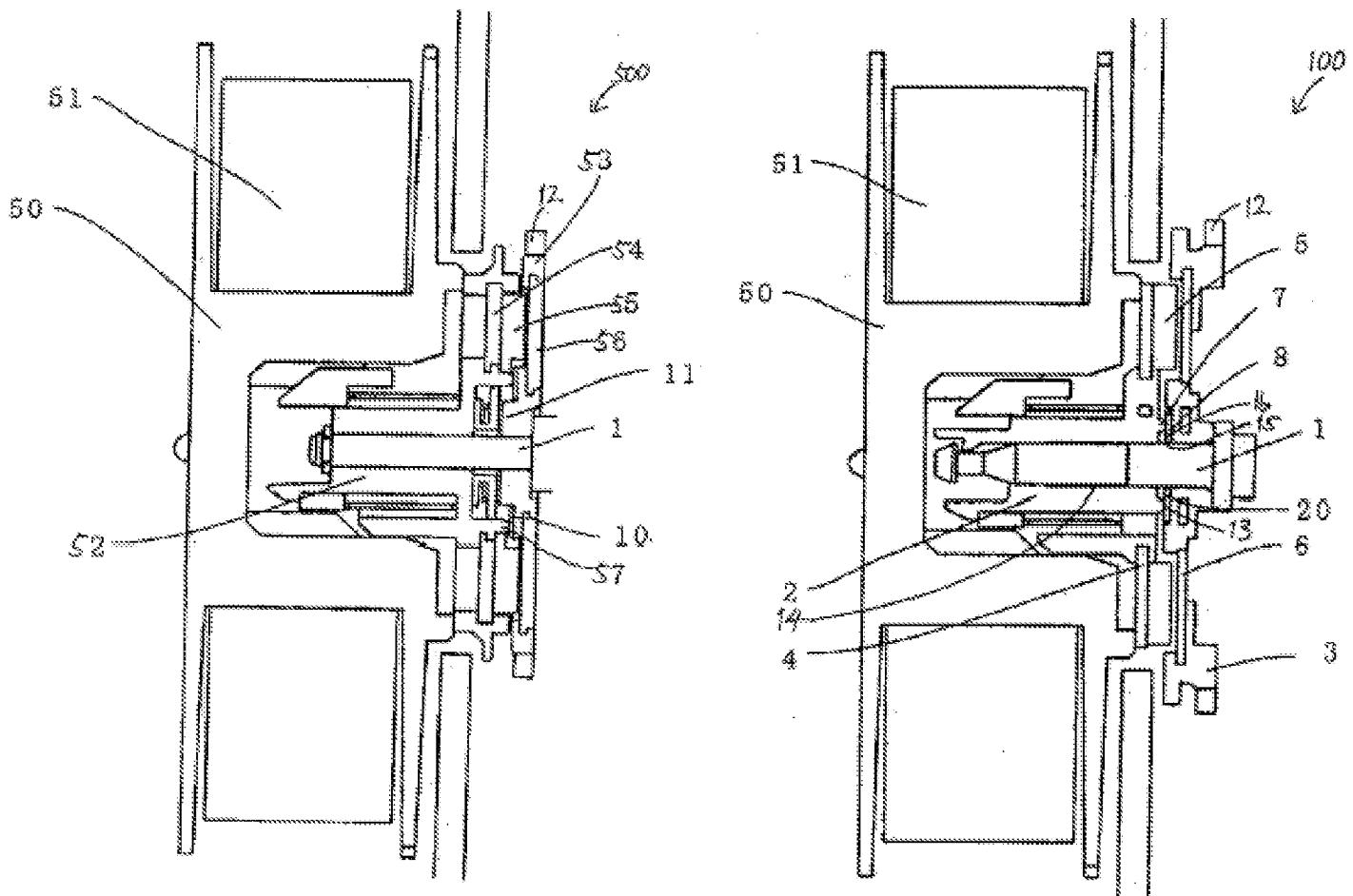
Claims 1-11 stand rejected under 35 USC §112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1 recites, *inter alia*, a torque limiter including a rotation shaft and a contact area at which a first rotatable body and a second rotatable body, as defined in the claim, are in contact with each other. Specifically, claim 1 recites that no wall is provided between the rotation shaft and the contact area.

The Examiner indicates that the phrase no wall is provided between the rotation shaft and a contact area... are in contact with each other is unclear. The Examiner indicates it is unclear what structure applicants are claiming. The Examiner notes if there is no wall between the shaft and the contact area, what structure allows the first and second rotatable body to be in contact with each other?

FIG.5

FIG.1



above) where there is a wall 11 between the rotation shaft 1 and the contact portion 57, in the present invention there is no wall between the rotation shaft 1 and the contact area 13 at which the first rotatable body 2 and the second the rotatable body 3 are in contact with each other (e.g., via the contact portion 7). Fig. 3 of the present application describes another embodiment in which there is no such wall 11.

Thus, claim 1 clearly recites a structure which, among the elements that the structure does include (e.g., first rotatable body, second rotatable body, rotation shaft, etc.), the structure does not include a wall between the rotation shaft and the contact area.

The Examiner may feel that claim 1 is indefinite for the reason that the recitation of the structure as not including a wall between the rotation shaft and the contact area amounts to a negative limitation. As pointed out in MPEP §2173.05(i), however, there is nothing inherently ambiguous or uncertain about a negative limitation. So long as the boundaries of the patent protection sought are set forth definitely, albeit negatively, the claim complies with the requirements of 35 USC §112, second paragraph.

The Examiner questions if there is no wall between the shaft and the contact area, what structure allows the first and second rotatable body to be in contact with each other? Applicants note how in the example of Fig. 1 of the present application, a contact portion 7 defines a contact area at which the first rotatable body and the second rotatable body are in contact with each other. While claim 1 does not expressly recite the structure of a contact portion, nevertheless a contact area exists as created by the contact portion 7. Thus, the contact area itself represents structure which the applicants claim as their invention. Claim 1 then goes on to recite how no wall is provided between the rotation shaft and such contact area.

Applicants believe they have addressed the Examiner's concern regarding any perceived indefiniteness in claim 1. Accordingly, withdrawal of the rejection of claims 1-3 is respectfully requested.

If for any reason the Examiner feels the applicants have not adequately addressed the Examiner's concern, applicants invite the Examiner to contact the undersigned via telephone. This will provide the applicants with a better opportunity to obtain a better understanding as to the Examiner's concern and to expedite favorable prosecution.

### **III. CONCLUSION**

Accordingly, all claims 1-11 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/  
Mark D. Saralino, Reg. No. 34,243

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The Keith Building  
1621 Euclid Avenue  
Nineteenth Floor  
Cleveland, Ohio 44115  
(216) 621-1113  
yamap922amendmentnonfinal.wpd